

Appln No. 09/715,944
Amdt date March 13, 2006
Reply to Office action of January 11, 2006

REMARKS/ARGUMENTS

Claims 1-15, 17, 18, 20, 21, and 23-26 were pending in this application when last examined by the Examiner. Claim 1 has been amended. Claims 21 and 26 have been canceled. The amendments find full support in the original specification, claims, and drawings. No new matter has been added. In view of the above amendments and remarks that follow, reconsideration and an early indication of allowance of the now pending claims 1-15, 17-18, 20, and 23-25 are respectfully requested.

Claims 1-7, 9, 15, 21, 23, 24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitsukawa et al (U.S. Patent No. 6,282,713) in view of Rafey et al. (U.S. Patent No. 6,452,598). Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kitsukawa and Rafey in view of Blacketter et al. (U.S. Patent No. 6,415,438). Claims 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitsukawa and Rafey in view of Moriyama (U.S. Patent No. 5,889,746). Claims 17, 18, 20, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitsukawa and Rafey in view of Jones et al. (U.S. Patent No. 6,317,774). Applicant respectfully traverses these rejections.

With respect to claim 1, the Examiner contends that Kitsukawa teaches all of the limitations of claim 1, except that Kitsukawa "is silent on determining whether the object is visible in the video and controls displays of the associated graphics responsive to a determination that the video object is visible in the video frame." (Office action p. 3, lines 6-8). However, the Examiner relies on Rafey to make up for this deficiency. In doing so, the Examiner contends that "Rafey teaches interfacing 3-D graphics content with broadcast video, wherein the system transmits a mask for the video to implement shaped video effects and the viewer device renders to make the appropriate regions visible to the user." (Office action p. 3, lines 8-11).

Rafey discloses a system which enables video from a live broadcast to appear in an animated 3-D scene associated with the video content. (Col. 6, lines 62-66). Rafey discloses that this may be achieved by mapping video texture onto the 3-D scene. The video texture may be both plain video or a "shaped video." (Col. 7, lines 44-45). In rendering a "shaped video,"

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the rendering engine makes the appropriate regions of the video footage transparent to enable special composition effects. (Col. 8, lines 29-31).

Rafey's disclosure of "shaped video" at most teaches that certain regions of a video footage may be made visible whereas other regions may not, all in the context of texture mapping for a 3-D scene. There is nothing in Rafey, however, that teaches or suggests overlaying any "graphics image on a video frame" as is required by claims 1 and 15. Contrary to that, Rafey overlays videos onto a 3-D object.

Even if the Examiner were to rely on Rafey simply for the teaching of determining whether a video object is visible or not, and rely on Kitsukawa for the teaching of overlaying graphics images, Applicant respectfully submits that a person of skill in the art would not have been motivated to apply the teachings of Rafey to modify Kitsukawa so that Kitsukawa "overlays the graphics image on said display device responsive to a determination that the video object is visible in the video frame" as is required by claim 1. This is not needed in Kitsukawa because the advertising icons disclosed by Kitsukawa are displayed on the bottom of a screen apart from the actual video object which they may represent. (See, FIG. 5). In fact, there is motivation to display these icons even when the video objects are not visible in a particular video frame because such visibility is likely to increase the chances of such icons being selected, thereby increasing sales. Furthermore, the icons appearing and disappearing based on a video object's visibility on the video frames would be annoying and frustrating for a user in Kitsukawa. Kitsukawa also expressly teaches with respect to the stored advertising mode that "the stored advertising information may be recalled and viewed at a time that is different from a display time of a scene in which the corresponding advertised item appears." (Emphasis added) (Col. 8, lines 10-12). This disclosure indicates that Kitsukawa clearly contemplates displaying the advertising icons regardless of the visibility of particular video objects in a video frame. Accordingly, claims 1 and 15 are now in condition for allowance.

Claims 2-14 and 17-18, 20, and 23-25 are also in condition for allowance because they depend on an allowable base claim, and for the additional limitations that they contain.

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In view of the above amendments and remarks, Applicant respectfully requests reconsideration and an early indication of allowance of the now pending claims 1-15, 17-18, 20, and 23-25.

Respectfully submitted,
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